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## CIVIL DEFENSE

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. MOLLOHAN] is recognized for 30 minutes.

Mr. MOLLOHAN. Mr. Speaker, yesterday, when I asked permission to address the House today I did not know that I was about to be scooped by Drew Pearson this morning. I should like to state here, therefore, that while Mr. Pearson appears to have read some of the thoughts on my mind, he has not taken the words from my mouth.

Many of us were startled to learn, during the recent civil defense exercise, Operation Alert, that the President had issued a hypothetical proclamation of martial law. Traditionally, we as a Nation have looked with alarm and suspicion upon any least hint of a rising militaristic power in our midst—for the concept of civilian supremacy in government is deeply ingrained in the very fibers of our national being—so that even to entertain the thought of martial law has ever been repugnant to us.

Apparently, therefore, the full implications of the Presidential "make-believe" have not yet dawned upon the American people. A more important point might be: Have they dawned upon the Congress?

For how else shall we explain the general apathy to this unprecedented action which, in the past, would have aroused a storm of indignation and protest?

Here, it would seem to me is one more dangerous manifestation of public indifference to the growing trend on the part of the military to dominate the national scene—to encroach upon and dominate what we have historically regarded as exclusive areas of civilian authority and responsibility in our national life.

Ever since World War I, of course, civil-military relationships have been drawing immeasurably closer. But it is only since the end of World War II, and more particularly within the past several years, that we have witnessed the accelerated pace of the military's growth in power and influence on the national scene. Perhaps it is the total impact of three decades of war and uneasy peace which has lessened public resistance to this intrusion of the military upon its special provinces.

Yet the fact remains, that whatever the causes, today the military wields its influence to an unprecedented degree over every phase of our educational, economic, and political affairs. The drift away from our traditional concepts is marked and can no longer be discounted or ignored. Surely, the time has come

when we must ask ourselves, is this the way we want it to be?

In Government, in business, in industry and in the scientific fields, the military seemingly trespasses more and more upon those preserves which the American people have constitutionally and historically reserved for the exercise of civilian authority and control. Mr. Speaker, let me document this statement. I ask unanimous consent to insert in the RECORD two lists which I have had prepared. One list contains the names of high-ranking retired officers, principally generals and admirals who, within the past several years, have replaced civilians in traditionally civilian-held jobs in the Federal Government. I do not believe it is by any means a complete list. Nevertheless its very length should prove disturbing to the Congress which has ever remained vigilant against such military incursions into policymaking and high-level administrative positions of Government.

Is not the existence of such a list as that which I am now introducing into the RECORD, an indication that, perhaps without being consciously aware of the fact, we are getting farther and farther away from that belief in the rightness of civil supremacy over the military which, since the founding of the Nation, has been one of the guiding principles of our form of government?

Nevertheless, today we see generals of the Army retire from active duty on one day only to become the heads of such civilian agencies as TVA, Immigration and Naturalization Service, and the State Department on the day following.

But to me, Mr. Speaker, the second list which I ask leave to insert in the RECORD is even more disconcerting than the first. It consists of retired generals and admirals who as of December 31, 1954, or later, were employed by a goodly percentage of the 100 principal firms doing business with the Department of Defense. In every instance these high-ranking officers serve their firms in such capacities as chairman of the board, director, or vice president of the corporation. Moreover, let me point out that in most instances the firms so represented fill more than 50 percent of all contracts entered into by the Defense Department in their particular fields.

I do not wish to reflect in any way upon the high qualifications and undoubted integrity of these retired officers who have so ably served their country with honor and distinction. I am well aware that the Nation owes them a debt of gratitude for their unselfish response to the call of duty. And I, for one, am more than eager to help in the recognition and payment of that debt.

Nevertheless, I find it a too startling coincidence that so many of the corporations employing them could not find qualified civilian personnel within their own organizations, or in industry generally, to fill their positions. Instead, these companies have resorted to the employment of men whose professional careers have, for the most part, been spent almost exclusively in one branch or other of the Armed Forces.

Now there may be absolutely no intent of wrongdoing and absolutely no

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semblance of the use of undue influence on anyone's part. Yet, inevitably in such situations, circumstances can arise and have arisen where the question must properly be raised.

Let me remind the Members that section 281, title 18, United States Code, specifically prohibits any retired officers from representing any person in the sale of anything to the Government through the department in whose service he holds retired status. The legislative history of this section of the Code is especially significant at this time.

Prior to its enactment, section 113 of the Criminal Code applied to the employment of retired officers, and prohibited them from receiving compensation for services performed for others in connection with matters pending before any department, court-martial, bureau, officer, or any civil, military, or naval commission of the United States.

The 76th Congress rightly, I believe, felt that such all-inclusive prohibitions were too severe and enacted what is now the second paragraph of section 281 to which I referred earlier. It is also the same paragraph originally added to former section 203 of title 18 by the act of October 8, 1940.

In House Report No. 2330, 76th Congress, 3d session, on the then proposed 1940 amendment, it was stated:

As the primary purposes of the statute seem to be to discourage the use of undue or sinister influence by those in a position to exert it \* \* \* (and) \* \* \* as said by the court of appeals, their "activities are wholly separated from official life" \* \* \* it is absurd, therefore, to think that retired officers, particularly while not on active duty, as such can exert any undue influence in the departments or bureaus, or with commissions or agencies \* \* \* of the Government.

It is, consequently, of especial significance that the 76th Congress retained in the amended law the present provision against retired officers participating in sales to the Government.

But how shall we differentiate between actual direct sales and the sometimes even more effective indirect selling? With modern selling methods such as they are, who is to say where research, technical knowledge, and public relations leave off and selling begins?

Certainly, I should be the last to wish to deprive those who have served our country of the right to gainful employment once they are no longer on active duty. But under the circumstances it would seem that their own interests and those of the country would be better served by avoiding relationships which might at one time or another expose them to criticism.

It is in this way that such unwholesome situations can arise as one which came to light in an Armed Services Subcommittee hearing only last week. Here, a retired general recalled to active duty, stated quite frankly and honestly that the business firm which had employed him during his retirement had since been making up the difference between his Government pay and his former salary.

But even though such incidents are in themselves regrettable, I feel we should be still more greatly disturbed that the

public seems cynically to shrug them off and remain indifferent to the increased power which our Armed Forces continue to exert even while we are in a period of so-called peacetime existence.

The still widening influence of the military would seem to pervade every branch of the Federal Government, frequently with results that clearly and demonstrably do not serve the public interest. Today, even so plebeian an agency as the Department of Commerce now attempts to clamp voluntary censorship upon unclassified developments in scientific and industrial fields where exchanges of information have heretofore always served to advance our national progress.

Even in the business and industry of the country, the Armed Forces now take a prominent part in the planning of industrial mobilization and this has, in numerous instances, adversely affected the status of thousands of the Nation's small businessmen and the economy of less favored areas throughout the country.

It would, therefore, seem to me, Mr. Speaker, high time that Congress take cognizance of this state of affairs. From the philosophy of the Founding Fathers to the convictions of our present-day leaders, it has always been recognized that the interests of this Nation were best served when the power of the military was kept subordinate to the civilian.

No less an authority than the President has said:

It is my conviction that the necessary and wise subordination of the military to civil power will be best sustained and our people will have great confidence that it is so sustained when lifelong professional soldiers, in the absence of some obvious and overriding reasons, abstain from seeking high political office. \* \* \* In the American scene I see no dearth of men fitted by training, talent, and integrity for national leadership. On the other hand, nothing in the international or domestic situation especially qualifies for the most important office in the world a man whose adult years have been spent in the country's military forces.

To which I should like to add a fervent amen with this postscript "for the most important office in the world" or for any other office which, throughout our Nation's history, has been regarded as within an area of civilian responsibility.

#### EX-MILITARY OFFICERS WHO ARE DIRECTORS OR EXECUTIVE HEADS OF INDUSTRIAL ORGANIZATIONS AND CUMULATIVE PERCENT OF UNITED STATES TOTAL

Berner, T. R., lieutenant commander, United States Naval Reserve, retired: Member, board of directors, General Precision Equipment Corp., 63.7.

Bandy, William H. Purnell, admiral, United States Navy, retired: president, Health Information Foundation. Organization set up by drug and chemical companies to improve health standards, block socialized medicine.

Bradley, Omar N., general, United States Army, retired: Chairman, Bulova Research and Development Laboratories, Inc.

Campbell, H. Donald, United States Navy, lieutenant, junior grade, retired: Chase National Bank, New York City; director, General Precision Equipment Corp., 63.7.

Campbell, Levin H., Jr., lieutenant general, United States Naval Academy; transferred to Army: Director, General Precision Equip-

ment Corp., 63.7; executive vice president, International Harvester Co. since 1947; director, Curtiss-Wright Corp.; American Steel Foundries Universal Oil Co., 35.8.

Clay, Lucius D., general, United States Army, retired: Member, board of directors, General Motors Corp.; chairman, Continental Can Co.

Delafield, Edward C., colonel, Finance Department, United States Army, retired: Member, board of directors, Normandy Realty Corp.; trustee, Greenwich Savings Bank; director, Corona Brewing Co., Pameta Oil Co., General Precision Equipment Corp., 63.7.

Devers, Jacob Loucks, general, United States Army, retired: Technical adviser to president of Fairchild Engine & Airplane Corp., 46.6.

Eaker, Ira C., general, United States Army, retired: Vice president, Hughes Aircraft Co. George, Harold L., lieutenant general, Regular United States Air Force, retired: Vice president and general manager, Hughes Aircraft Co.; vice president, Hughes Tool Co., 39.7.

Groves, Leslie R., lieutenant general, United States Army: Vice president, Remington Rand, Inc.

Hoffman, William J., first lieutenant, United States Air Force, retired: Vice president (engineer), Grumman Aircraft Engineering Corp., 33.7.

Hopkins, Frederick Mercer, Jr., major general, United States Air Force, retired: Vice president, director, Cleveland Pneumatic Tool Co., principal product, aircraft landing gear.

Ingram, Jonas H., admiral, United States Navy, retired: Vice president of executive sales, Reynolds Sales Co., 66.3.

MacArthur, Douglas, general, United States Army, retired: Board chairman, Remington Rand, Inc.

McNarney, Joseph T., general, United States Army and Air Force, retired: President, Convair division, General Dynamics Corp., 31.4.

Martin, Daniel J., colonel, United States Army, retired: Vice president (engineer) Hughes Tool Co., 39.7.

Maxwell, Russell L., major general, United States Army, retired: Vice president, American Machine & Foundry Co., 59.0.

Mills, Earle W., vice admiral, United States Navy, retired: President and chairman, Foster Wheeler Corp.

Moreell, Ben, admiral, United States Navy, retired: Chairman, Jones & Laughlin Steel Corp.

Power, Edward M., major general, Regular United States Air Force, retired: Vice president, Curtiss-Wright Corp., general manager aeronautical division, 35.8.

Quesado, Elwood R., lieutenant general, United States Air Force: Vice president and director, Lockheed Aircraft Co., 27.7.

Ramsey, DeWitt Clinton, admiral, United States Navy, retired: President and general manager, Aircraft Industries Association of America.

Scanlon, Martin F., brigadier general, United States Air Force, retired: Vice president, Republic Aviation Corp. Principal product: Military aircraft, 37.8.

Schoeffel, Malcolm F., rear admiral, United States Navy: General Precision Equipment Corp.; director, weapons planning, 63.7.

Smith, Walter Bedell, general, United States Army, retired: Vice chairman, American Machine & Foundry Co.; chairman and president of AMF-Atomics, Inc., 59.

Somervell, Brehon Burke, general, United States Army, retired: Chairman and president, Koppers Co., Inc.

Towers, John H., admiral, United States Navy, retired: Special assistant to Juan Trippe, Pan American Airways, 64.3.

Turner, Asby Sinis, Jr., United States Military Academy, Army officer: Vice president, Fairchild Engine & Airplane Corp.; assistant

general manager, Hamilton Standard Division of United Aircraft Corp. since 1951, 46.6.  
Wedemeyer, Albert C., lieutenant general, United States Army; Vice president and director, Rhum Manufacturing Co.

Chidlaw, Benjamin W., Air Force general, retired May 31, 1955. Member of the staff of Thompson Products, Inc. He serves as a consultant. Principal products: Aircrafts and automotive engines, 59.3.

Ridgway, Matthew B., Army general, retired June 1955. Member of the staff of Mellon Research Co., Pittsburgh. That is an endowed nonprofit organization that carries on long-range scientific researches for professional and industrial good and for human betterment.

Vogel, Herbert Davis, Army brigadier general, retired August 31, 1954. Chairman, Board of Directors of TVA.

#### FEDERAL OFFICIALS WHO HAVE HELD FLAG OR GENERAL RANK IN THE MILITARY SERVICE

##### A SELECTED LIST (APPOINTED 1953-55)

Julius Ochs Adler, major general, United States Army Reserve; Chairman, National Security Training Commission.

Frank B. Berry, M. D., brigadier general, United States Army Reserve, retired; Assistant Secretary of Defense (Health and Medical).

Henry C. Byroade, brigadier general, United States Army, resigned; Assistant Secretary of State.

Lucius D. Clay, general, United States Army, retired; Chairman, President's Highway Advisory Committee. Position created August 30, 1954.

Everett R. Cook, brigadier general, United States Air Force Reserve; Commissioner, Rubber Producing Facilities Disposal Commission. Commission established August 7, 1953.

Robert J. Cutler, brigadier general, United States Army, resigned; Special assistant to the President for National Security Affairs. Position created March 23, 1953.

Benjamin O. Davis, brigadier general, United States Army, retired; Commissioner, American Battle Monuments Commission.

Walter S. Delaney, vice admiral, United States Navy, retired; Deputy Director for Mutual Defense Assistance Control, Foreign Operations Administration.

William J. Donovan, major general, United States Army, retired; Ambassador Extraordinary and Plenipotentiary of the United States to Thailand. Left State Department August 31, 1954.

James H. Doolittle, lieutenant general, United States Air Force Reserve; Member, National Advisory Committee for Aeronautics, Special Assistant to Chief of Staff, United States Air Force, reappointed.

Glen E. Edgerton, major general, United States Army, retired; Managing Director and President of the Export-Import Bank of Washington. Position occupied earlier by Herbert E. Gaston.

Graves B. Erskine, general, United States Marine Corps, retired; Assistant Secretary of Defense (Special Operations). Position redesignated from Director, Office of Special Operations, replaced Gen. John Magruder, of the old Office of Psychological Policy.

Edward C. Kalbfus, admiral, United States Navy, retired; Commissioner, American Battle Monuments Commission. Reappointed.

Thomas C. Kinkaid, admiral, United States Navy, retired; Commissioner, American Battle Monuments Commission; reappointed; National Security Training Commission. Reappointed.

Herbert Bernard Loper, brigadier general, United States Army, retired; Chairman, Military Liaison Committee to Atomic Energy Commission. Replaced Robert LeBaron.

Melvin J. Maas, major general, United States Marine Corps Reserve, retired; President's Committee on Employment of Physically Handicapped. Reappointed.

George C. Marshall, General of the Army, United States Army; Chairman, American Battle Monuments Commission; reappointed.

Raymond S. McLain, lieutenant general, United States Army, retired; Commissioner, National Security Training Commission. Reappointed. Died December 17, 1954.

E. C. McNeil, brigadier general, United States Army, retired; Special assistant to the Secretary of the Army, Department of the Army. Reappointed.

Hugh M. Milton II, major general, United States Army Reserve, resigned; Assistant Secretary of the Army, Manpower and Reserve Forces, Department of the Army. Filled vacancy, position occupied earlier by Earl D. Johnson.

Thomas North, brigadier general, United States Army, retired; Secretary, American Battle Monuments Commission; reappointed.

W. S. Paul, lieutenant general, United States Army, retired; Assistant to the Director, Office of Defense Mobilization for Plans and Readiness. Newly created position.

Wilton B. Persons, major general, United States Army, retired; Deputy Assistant to the President, the White House office. Position created September 5, 1953.

Charles E. Saltzman, brigadier general, United States Army Reserve; Under Secretary of State for Administration. Left State Department December 31, 1954. Replaced Donald B. Lourie.

Carl Spaatz, general, United States Air Force, retired; Commissioner, American Battle Monuments Commission.

Lewis L. Strauss, rear admiral, United States Naval Reserve; Chairman, Atomic Energy Commission. Replaced Gordon Dean.

Joseph M. Swing, lieutenant general, United States Army, retired; Commissioner, Immigration and Naturalization Service. Replace Argyle R. Mackey.

Elbert Parr Tuttle, brigadier general, United States Army Reserve; United States circuit judge (fifth circuit), United States Court of Appeals. Appointed August 4, 1954, to fill position created February 10, 1954, (Public Law 294).

Alexander A. Vandergrift, general, United States Marine Corps, retired; Commissioner, American Battle Monuments Commission; reappointed.

Lt. Gen. Charles D. Cabel; Assistant Director, CIA.

Brig. Gen. Josh S. Bragdon, public works coordinator.

Brig. Gen. Julius Holmes; Ambassador to Iran.